

July 5, 2005

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Regulatory Analysis and Development
PPD, APHIS, Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

Re: Docket No. 05-015-1

The Wyoming Farm Bureau Federation would like to provide the following comments to the questions raised in the May 6, 2005 Federal Register regarding the National Animal Identification System (NAIS). The Wyoming Farm Bureau Federation represents agricultural producers throughout the state of Wyoming. Many of these producers are involved in animal agricultural production with the main commodities being beef and sheep. The state of Wyoming has, for many years, maintained a livestock identification system for horses, cattle and sheep. This system has significant state and private resources invested in its infrastructure and livestock producers in Wyoming would be very reluctant to see the current State system eliminated in order to accommodate the federal mandates.

The Wyoming Farm Bureau Federation is also affiliated with the American Farm Bureau Federation and we support their comments.

We would like to offer additional comments on the following questions.

Is a mandatory identification program necessary to achieve a successful animal disease surveillance, monitoring, and response system to support Federal animal health programs?

The statement previous to the question asked discusses having a mandatory program in place by January 2009. We feel that an effective, cost efficient program should be the driving force; not a certain date. We would reiterate the concerns raised by the American Farm Bureau Federation (AFBF) regarding **cost**. Under Wyoming's current program the cost of the program is borne entirely by the livestock sector. The system is overseen by a board of livestock producers, who are able to react to excessive costs. A national program will not have that type of control. Costs of the program can also be measured in several ways. Total cost is one way, but the important factor for our members are **their** costs. This cost will be dependant upon what the program eventually requires. We feel

there needs to be a great deal more investigation and trial before costs are fully known, therefore, the reasoning behind a deadline based on how the program evolves.

At what point and how should compliance be ensured?

Under Wyoming's current program an inspection is required before an animal can be moved from one county to another, or movement out of state, or upon change of ownership. The livestock producer is responsible for notifying the proper authority to obtain the inspection. Utilizing the current infrastructure would prevent others from having to develop a process which is already in place. We feel that it would be counter-productive to change the system significantly away from what is already working in this state.

In regard to cattle, individual identification would be achieved with an AIN tag that would be attached to the animal's left ear. Do you think this is a viable option?

Many beef producers are concerned about the ability of a single tag to stay in the animal's ear. We have had cattle producers inform us that tag retention under current management schemes is less than ideal. Until an effective system of permanent identification is developed, then consideration should be given to the group lot system and the ability to use both ears should not be precluded. Also, some discussion needs to occur over the possibility that ear tags can be deliberately removed, which could result in cattle being miss-identified. Some enforcement mechanism needs to be considered for those instances where deliberate removal occurs.

The current Draft Strategic Plan does not specify how compliance with identification and movement reporting requirements will be achieved when the sale is direct between a buyer and seller. In what manner should compliance with these requirements be achieved?

Under the current Wyoming system this issue is already dealt with. Again, we would urge a system flexible enough to accommodate the system already in place without excessive costs.

Who should be responsible for meeting these requirements?

See above response.

How can these types of transactions be inputted into the NAIS to obtain the necessary information in the least costly, most efficient manner?

We feel that the current system of data being inputted by inspection officials would work well for our State. We also suggest that information should continue to reside at the state level. The requirement that this information be transferred to a national database will add one more opportunity for error. The cost of transferring data from the ranch to the state data base must be investigated before the system becomes fully functional. Also, a process for data correction of errors needs to be developed so that wrong data can be corrected without problems being created for the livestock producer.

Are the timelines for implementing the NAIS, as discussed in the Draft Strategic Plan, realistic, too aggressive, or not aggressive enough?

Again, we would reiterate that the timeline should be based on the effectiveness of the system. A system that has significant flaws will not benefit anyone should it be implemented. Benchmarks should be developed and when those benchmarks are reached an evaluation should occur to see if the process should go forward. Australia is currently implementing a National Livestock Identification System (NLIS) which has received considerable resistance from producers because of costs and flaws in the system which was developed. We urge USDA to develop a system which works for producers, not a system to reach some arbitrary time deadline.

What is the most cost-effective and efficient ways for submitting information to the database?

There are currently several experimental programs which states are developing with grants from USDA. We suggest an evaluation of these programs, once the information becomes available, will be the most effective way to judge the cost-effectiveness of a data submission program. We do have concerns about the accuracy of data. Given the complexity of the numbering system, manual entry in any database will inevitably result in errors. How the system addresses these errors is perhaps as important as getting them into the system in the first place.

Given the information identified in the draft documents, what specific information do you believe should be protected from disclosure?

We feel that all information should be protected. Information relating to animal movements and ownership should especially be protected, since this has food safety concerns as well as national security concerns. We suggest that the information relative to animal ownership and movements **must** be kept at the state level with that information available upon request by USDA personnel for disease purposes. The data cannot, and should not be subject to FOIA release, nor should other agencies have any ability to access this information. Keeping this data at the state level, instead of the national level would go a long way towards protecting it. We strongly disagree that APHIS is the “best” data repository for this information as suggested in the Federal Register. In states

where a good system for animal ID and movement is in place, APHIS should work with that state to have access, not the other way around.

The Federal Register notice also asks for input on an industry-led initiative utilizing a privately managed database.

Once a program becomes mandatory, with enforcement processes and needs, the ability for a non-government program becomes untenable. We would not support such a program once it becomes mandatory. Should a decision be made to not make the system mandatory, then opportunity for a non-government run program would be there.

Again, we would reiterate a couple of key provisions.

Costs of the program are paramount. Currently there are no good data on what the costs will be, both for government entities as well as private entities. Until some information is collected and disseminated on equipment needed, software needed and personnel needed, costs cannot be accurately determined. Implementation of any program before this information is collected would not be good public policy.

An arbitrary timeline should not be established, rather benchmarks should be utilized.

States which have programs should not be required to shoulder additional costs to develop a new system. The states with the ability to maintain a database program should be the entity which holds that data, with APHIS obtaining the necessary access. Routine access by APHIS is not, in our opinion, warranted.

Thank you for the opportunity to comment.

Sincerely,

Ken Hamilton
Executive Vice President

Cc Board
 GI Committee
 Animal ID Committee
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